

PHILLIP A. TALBERT
United States Attorney
DAVID W. SPENCER
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADAN NAVARRO,

Defendant.

CASE NO. 2:21-CR-191-DAD-1

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: February 21, 2023
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through their respective counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on February 21, 2023.
2. By this stipulation, defendant now moves to continue the status conference until May 30, 2023, and to exclude time between February 21, 2023, and May 30, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes over 990 pages of investigative reports and other documents, numerous audio and video recordings, including over 150 wiretapped phone calls, as well as other materials. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

1 b) Counsel for defendant desires additional time to review this discovery, conduct
2 factual investigation and legal research, confer with his client regarding his options for
3 responding to the charges, and to otherwise prepare for trial. The parties have also been involved
4 in plea negotiations and counsel for defendant anticipates that it is likely that this case will
5 resolve by the time of the next status conference. However, counsel for defendant needs
6 additional time to review the extensive discovery with his client, including the over 150
7 wiretapped phone calls of his client's cell phone. While counsel for defendant expects that his
8 client is likely to change his plea at the next hearing, this additional discovery review,
9 investigation, and attorney-client consultation will be necessary for trial preparation as well as
10 for plea negotiations if defendant elects not to change his plea.

11 c) Counsel for defendant believes that failure to grant the above-requested
12 continuance would deny him the reasonable time necessary for effective preparation, taking into
13 account the exercise of due diligence.

14 d) The government does not object to the continuance.

15 e) Based on the above-stated findings, the ends of justice served by continuing the
16 case as requested outweigh the interest of the public and the defendants in a trial within the
17 original date prescribed by the Speedy Trial Act.

18 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
19 et seq., within which trial must commence, the time period of February 21, 2023 to May 30,
20 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
21 T4] because it results from a continuance granted by the Court at defendant's request on the basis
22 of the Court's finding that the ends of justice served by taking such action outweigh the best
23 interest of the public and the defendant in a speedy trial.

24 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
25 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
26 must commence.

27 IT IS SO STIPULATED.
28

1 Dated: February 15, 2023

PHILLIP A. TALBERT
United States Attorney

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4 /s/ DAVID W. SPENCER
DAVID W. SPENCER
Assistant United States Attorney

6 Dated: February 15, 2023

7 /s/ MICHAEL D. LONG
MICHAEL D. LONG
Counsel for Defendant
ADAN NAVARRO

12 **ORDER**

13 Pursuant to the stipulation of the parties, the status conference previously scheduled as to
14 defendant Adan Navarro for February 21, 2023 is continued to May 30, 2023, at 9:30 a.m. before the
15 undersigned and time is excluded as to this defendant between February 21, 2023, and May 30, 2023,
16 under Local Code T4. No further continuances of the status conference in this case will be granted
17 absent a compelling showing of good cause.

18 IT IS SO ORDERED.

19 Dated: February 15, 2023

20 
UNITED STATES DISTRICT JUDGE